

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

ANNETTE MARIE CANANIA,)
)
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Movant,)
)
)
v.) No. 4:10CV00566 ERW
)
)
UNITED STATES OF AMERICA,)
)
)
Respondent.)

MEMORANDUM AND ORDER

This matter is before the Court upon the filing of Annette Marie Canania's motion to vacate, set aside, or correct her sentence pursuant to 28 U.S.C. § 2255 [Doc. #1].

Movant's motion for § 2255 habeas corpus relief was not filed on a court-provided form and does not comply with Rule 2 of the Rules Governing Section 2255 Proceedings for the United States District Courts. Both this Court's Local Rule 2.06(A) and Rule 2 of the Rules Governing Section 2255 Proceedings for the United States District Courts give this Court the authority to order movant to amend her motion on a court-provided form. Movant is advised that the amended § 2255 motion will supercede her original motion for writ of habeas corpus [Doc. #1].

In accordance with the foregoing,

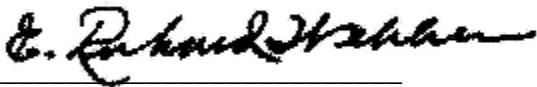
IT IS HEREBY ORDERED that, in addition to a copy of this Order, the Clerk shall forward to movant the court-provided form (AO form 243) for filing a motion under 28 U.S.C. § 2255 to vacate, set aside, or correct sentence by a person in federal custody.

IT IS FURTHER ORDERED that movant shall complete and return her amended § 2255 motion within thirty (30) days from the date of this Order. Movant shall include in said amended motion any and all grounds for relief that she wishes to pursue under 28 U.S.C. § 2255. In addition, movant must sign and date the amended motion.

IT IS FURTHER ORDERED that if movant fails to sign, complete, and return her amended § 2255 motion within thirty days, the Court will dismiss the instant action, without prejudice.

IT IS FURTHER ORDERED that upon movant's filing of the form motion, the Clerk shall resubmit this matter to the Court for review under Rule 4 of the Rules Governing Section 2255 Proceedings for the United States District Courts.

So Ordered this 26th Day of April, 2010.



E. RICHARD WEBBER
UNITED STATES DISTRICT JUDGE